

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: PEDERSEN, Morten
 Serial No.: 10/053,883
 Filed: January 24, 2002
 For: ASSAY AND KIT FOR ANALYZING GENE EXPRESSION
 Confirmation No.: 5403



RESPONSE UNDER 37 CFR 1.112
 EXPEDITED PROCEDURE
 EXAMINING GROUP 1637

Art Unit: 1637
 Examiner: HORLICK, K.
 Washington, D.C.
 Atty.'s Docket: PEDERSEN=1A
 Date: March 30, 2005

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop AF
 401 Dulany Street
 Alexandria, VA 22314
 Sir:

Corres. and Mail
BOX AF

Transmitted herewith is an [XX] Amendment After Final Rejection in the above-identified
 [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement
 previously submitted.
 [XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.
 [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
 [] No additional fee is required.

The fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) | | Small Entity | | Other Than a Small Entity | |
|------------------------------------------------|----------------------------------|----------|---------------------------------|----------|---------------|--------------|------|---------------------------|----------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | | Present Extra | | Rate | | Additional Fee |
| Total | 99 | Minus | 108 | 0 | | x 25 | \$ | x 50 | \$ |
| Indep. | 1 | Minus | 4 | 0 | | x100 | \$ | x200 | \$ |
| First Presentation of Multiple Dependent Claim | | | | | | 180 | \$ | +360 | \$ |
| TOTAL ADDITIONAL CLAIMS FEE | | | | | | | \$ | Total | \$ |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
 The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time
 If any extension of time for a response is required applicant requests that this be considered a petit

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

| Small Entity | | Other Than Small Entity | |
|-----------------------|-------------|-------------------------|-------------|
| Response Filed Within | | Response Filed Within | |
| [XX] First | - \$ 60.00 | [] First | - \$ 120.00 |
| [] Second | - \$ 225.00 | [] Second | - \$ 450.00 |
| [] Third | - \$ 510.00 | [] Third | - \$1020.00 |
| [] Fourth | - \$ 795.00 | [] Fourth | - \$1590.00 |
| [] Fifth | - \$1080.00 | [] Fifth | - \$2160.00 |

[] Less fees (\$) already paid for months extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.
 [] A check in the amount of \$ is attached (check no.).

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$60.00 is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case.
 This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

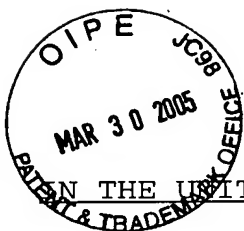
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BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:
 IVER P. COOPER
 Registration No. 28,005



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AMENDMENT AFTER FINAL REJECTION

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Randolph Building
401 Dulany Street
Alexandria, VA 22314

S i r :

In response to the final rejection mailed November 30, 2004,
please enter the following amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims
which begins on page 3 of this paper.

Remarks begin on page 38 of this paper.

Amendments to the Specification

Please delete the paragraph at page 50, lines 23-24.